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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

ORACLE USA, INC.; a Colorado corporation;
 ORACLE AMERICA, INC.; a Delaware
 corporation; and ORACLE INTERNATIONAL
 CORPORATION, a California corporation,

Plaintiffs,

v.

RIMINI STREET, INC., a Nevada corporation;
 and SETH RAVIN, an individual,

Defendants.

Case No. 2:10-cv-0106-LRH-VCF

**DECLARATION OF JOHN A.
 POLITO IN SUPPORT OF
 ORACLE'S MOTION TO PERMIT
 LIMITED DISCOVERY
 REGARDING RIMINI'S
 COMPLIANCE WITH THE
 COURT'S PERMANENT
 INJUNCTION**

1 I, John A. Polito, declare as follows:

2 1. I am an attorney admitted to practice pro hac vice before this Court in the above
3 captioned matter and a partner with Morgan, Lewis & Bockius LLP, counsel of record for
4 Plaintiffs Oracle USA, Inc., Oracle America, Inc., and Oracle International Corporation in this
5 action. I have personal knowledge of the facts stated below and could and would testify to them if
6 called upon to do so.

7 2. Attached as **Exhibit 1** is a true and correct copy of excerpts of the transcript of the
8 November 18, 2011 deposition of Seth Ravin in this matter.

9 3. Attached as **Exhibit 2** is a true and correct copy of the document produced by
10 Rimini Street, Inc. Bates numbered RSI0594757-RSI0594586.

11 4. Attached as **Exhibit 3** is a true and correct copy of admitted trial exhibit PTX
12 0039, Rimini Street Private Placement Memorandum dated November 2008.

13 5. Attached as **Exhibit 4** is a true and correct copy of excerpts of the transcript of the
14 May 21, 2009 deposition of Seth Ravin taken in the *Oracle USA, Inc. v. SAP AG*, Case No. 07-
15 CV-1658.

16 6. Attached as **Exhibit 5** is a true and correct copy of the Trial Stipulation and Order
17 No. 3 Regarding Certain Facts filed in the *Oracle USA, Inc. v. SAP AG*, Case No. 07-CV-1658, as
18 ECF No. 911.

19 7. Attached as **Exhibit 6** is a true and correct copy of the Plea Agreement filed in
20 *United States v. TomorrowNow, Inc.*, Case No. CR 11-00642 PJH, as ECF No. 13.

21 8. Attached as **Exhibit 7** is excerpts of a true and correct copy of Rimini Street, Inc.'s
22 Quarterly Report for the Quarterly Period Ended September 30, 2018 which was filed on
23 November 8, 2018.

24 9. Attached as **Exhibit 8** is a true and correct copy of Exhibit 944 which was marked
25 at the deposition of Seth Ravin that was held on November 18, 2011 in this matter.

26 10. Attached as **Exhibit 9** is a true and correct copy of excerpts of the transcript of the
27 July 21, 2010 deposition of Seth Ravin taken in *Oracle USA, Inc. v. SAP AG*, Case No. 07-CV-
28 1658.

1 11. Attached as **Exhibit 10** is a true and correct copy of excerpts of the transcript of
2 the December 15, 2011 deposition of Brian Slepko in this matter.

3 12. Attached as **Exhibit 11** is a true and correct copy of excerpts of the transcript of
4 the July 21, 2011 deposition of Michael Davichick in this matter.

5 13. Attached as **Exhibit 12** is a true and correct copy of excerpts of the transcript of
6 the deposition of Beth Lester held on March 17, 2011 in this matter.

7 14. Attached as **Exhibit 13** is a true and correct copy of excerpts of the transcript of
8 the deposition of Krista Williams held on October 5, 2011 in this matter.

9 15. Attached as **Exhibit 14** is a true and correct copy of excerpts of the transcript of
10 the deposition of Rick Frank held on February 28, 2018 in the *Rimini Street, Inc. v. Oracle*
11 *America, Inc.*, Case no. 2:14-cv-01699-LRH-CWH matter.

12 16. Attached as **Exhibit 15** is a true and correct copy of excerpts of the transcript of
13 the deposition of Manjula Hosalli held on January 6, 2012 in this matter.

14 17. Attached as **Exhibit 16** is a true and correct copy of admitted trial exhibit PTX
15 5429, a document entitled Customers Receiving Updates Developed or Tested in Environments
16 Associated with Other Customers

17 18. Attached as **Exhibit 17** is a true and correct copy of the Stipulation and Order
18 Finding Non-Parties Rimini Street, Inc. and Seth Ravin in Civil Contempt filed in *Oracle USA,*
19 *Inc. v. SAP AG*, No. 2:09-CV-01591, as ECF No. 49.

20 19. Attached as **Exhibit 18** is a true and correct copy of Rimini's March 29, 2010
21 press release.

22 20. Attached as **Exhibit 19** is a true and correct copy of Oracle's letter to Rimini dated
23 January 2, 2019.

24 21. Attached as **Exhibit 20** is a true and correct copy of Rimini's letter to Oracle dated
25 January 23, 2019.

26 22. Attached as **Exhibit 21** is a true and correct copy of Oracle's letter to Rimini dated
27 January 31, 2019.

28 23. Attached as **Exhibit 22** is a true and correct copy of Rimini's letter to Oracle dated

February 7, 2019.

24. Attached as **Exhibit 23** is a true and correct copy of Rimini's November 9, 2018 press release.

25. Attached as **Exhibit 24** is a true and correct copy of Rimini's September 22, 2016 press release.

26. Attached as **Exhibit 25** is a true and correct copy of the transcript of Rimini Street's Third Quarter Fiscal Year 2018 Earnings Conference Call held on November 8, 2018.

27. Attached as **Exhibit 26** is Oracle's Supplemental Requests for Production to Defendant Rimini Street, Inc.

28. Attached as **Exhibit 27** is Oracle's Supplemental Interrogatories to Defendant Rimini Street, Inc.

I executed this declaration on February 27, 2019 in San Francisco, California. I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

DATED: February 27, 2019

MORGAN, LEWIS & BOCKIUS LLP

By: /s/ John A. Polito

John A. Polito

Attorneys for Plaintiffs Oracle USA, Inc., Oracle America, Inc. and Oracle International Corporation

CERTIFICATE OF SERVICE

I hereby certify that on the 27th day of February 2019, I electronically transmitted the foregoing **DECLARATION OF JOHN A. POLITO IN SUPPORT OF ORACLE'S MOTION TO PERMIT LIMITED DISCOVERY REGARDING RIMINI'S COMPLIANCE WITH THE COURT'S PERMANENT INJUNCTION** to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to all counsel in this matter; all counsel being registered to receive Electronic Filing.

MORGAN, LEWIS & BOCKIUS LLP

DATED: February 27, 2019

By: /s/ John A. Polito
John A. Polito

Attorneys for Plaintiffs Oracle USA, Inc., Oracle
America, Inc. and Oracle International
Corporation